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October 10, 2022

VIA ECFHon. George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312**SO ORDERED:**
George B. Daniels, U.S.D.J.Dated: **OCT 12 2022****Re: CIDNY et al. v. MTA et al., No. 17-2990-cv**

Dear Judge Daniels:

We represent the Transit Defendants and write with Plaintiffs' counsel to respectfully request an extension of the discovery schedule, and a corresponding modification of the briefing schedule for supplemental dispositive motion practice. This is the sixth request for an extension of discovery since this matter was returned to the District Court.

Since our last status report, the parties have completed all outstanding fact discovery and Transit Defendants have served a supplemental expert report. Plaintiffs intend to serve a rebuttal report and the parties wish to take depositions of one another's experts. Counsel are of the view that additional time is needed to compete the expert phase of discovery to allow sufficient time following the close of expert discovery to submit dispositive papers, while allowing for the Holidays. Accordingly, the parties respectfully request that the Court approve the revised schedule set forth below:


| Event | Current Deadline | Proposed Extension |
|------------------------------------|---------------------------------|----------------------------------|
| Fact discovery deadline | Complete | N/A |
| Supplemental expert reports served | Complete | N/A |
| Rebuttal reports served | October 26, 2022 | November 23, 2022 |
| Expert deposition deadline | November 4, 2022 | December 9, 2022 |
| Opening briefs | November 23, 2022 | January 6, 2023 |
| Opposition briefs | December 16, 2022 | January 27, 2022 2023 |
| Reply briefs | January 6, 2022 2023 | February 17, 2023 |

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We thank the Court in advance for its consideration.

Respectfully submitted,



Ira J. Lipton

cc: All counsel of record (*via ECF*)